United Nations A/AC.109/2017/L.23

General Assembly

Distr.: Limited
19 June 2017

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Question of the United States Virgin Islands

The General Assembly,

Having considered the question of the United States Virgin Islands and examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2017,[1]

Taking note of the working paper prepared by the Secretariat on the United States Virgin Islands[2] and other relevant information,

Recognizing that all available options for self-determination of the Territory are valid as long as they are in accordance with the freely expressed wishes of the people of the United States Virgin Islands and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Expressing concern that 57 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[3] there still remain 17 Non-Self-Governing Territories, including the United States Virgin Islands,

Conscious of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plans of action for the Second[4] and Third International Decades for the Eradication of Colonialism,

Recognizing that the specific characteristics and the aspirations of the people of the United States Virgin Islands require flexible, practical and innovative

[1] *Official Records of the General Assembly, Seventy-second Session, Supplement No. 23* (A/72/23), chap. __.
[2] A/AC.109/2017/16.
[3] Resolution 1514 (XV).
[4] A/56/61, annex.

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approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Convinced that the wishes and aspirations of the people of the Territory should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Concerned by the use and exploitation of the natural resources of the Non-Self-Governing Territories by the administering Powers for their benefit, by the use of the Territories as tax havens to the detriment of the world economy and by the consequences of any economic activities of the administering Powers that are contrary to the interests of the people of the Territories, as well as to resolution 1514 (XV),

Convinced that any negotiations to determine the status of the Territory must take place with the active involvement and participation of the people of the Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the people of the United States Virgin Islands in respect of their right to self-determination should be ascertained,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the people of the United States Virgin Islands and to fulfil its mandate effectively, it is important for it to be apprised by the United States of America as the administering Power and to receive information from other appropriate sources, including the representatives of the Territory, concerning the wishes and aspirations of the people of the Territory,

Aware of the importance both to the United States Virgin Islands and to the Special Committee of the participation of elected and appointed representatives of the United States Virgin Islands in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of the United States Virgin Islands with their inalienable right to self-determination and in gaining a better understanding of the options for self-determination, on a case-by-case basis,

Mindful, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Welcoming the Caribbean regional seminar on the theme "Implementation of the Third International Decade for the Eradication of Colonialism: the future for decolonization in the Non-Self-Governing Territories: what are the prospects?", held by the Special Committee in Kingstown and hosted by the Government of Saint Vincent and the Grenadines from 16 to 18 May 2017, as a significant and forward-looking event, which enabled the participants to assess progress made and address challenges faced in the decolonization process, review the existing working methods of the Committee and renew its commitment to implementing its historic task,

Recognizing the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee[5] and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011-2020 as the Third International Decade for the Eradication of Colonialism,[6]

Taking into account that the Territory last participated in the activities of the Special Committee in 2006, and in this regard stressing the importance of the continued participation of the Territory in order to provide the Committee with up-to-date information regarding the decolonization process,

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme and the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Aware of the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as its requests to the administering Power and the United Nations system for assistance to its public education programme,

Cognizant that a draft constitution was proposed in 2009 and subsequently forwarded to the administering Power, which in 2010 requested the Territory to consider its objections to the draft constitution,

Cognizant also that the Fifth Revision Convention, established and convened in 2012, was mandated to ratify and approve the final revised draft constitution,

Expressing concern about the extended time spent on the constitutional review process, and stressing the importance for the Special Committee to receive updated information in due time regarding the status of the drafting of the Constitution,

Stressing the importance of regional ties for the development of a small island Territory,

Noting the general election which took place in November 2016,[7]

1. *Reaffirms* the inalienable right of the people of the United States Virgin Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization of the United States Virgin Islands, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the people of the United States Virgin Islands to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in

[5] *Official Records of the General Assembly, Seventy-second Session, Supplement No. 23* (A/72/23).
[6] See resolution 65/119.
[7] See A/AC.109/2017/16, para. 2.

cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Welcomes* the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands Fifth Constitutional Convention, for review by the administering Power, and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the internal Constitutional Convention exercise;

5. *Requests* the administering Power to facilitate the process for approval of the proposed constitution and its implementation, once agreed upon in the Territory, and to regularly provide the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with relevant updates in this regard;

6. *Also requests* the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

7. *Welcomes* the establishment of the Office of Self-Determination and Constitutional Development in the University of the Virgin Islands, with the funding from the administering Power, to address the issue of self-determination, including political status and constitutional education;

8. *Expresses its concern* regarding the closure of the Hovensa plant, which has had a negative economic impact on the Territory;

9. *Reiterates its call for* the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

10. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

11. *Encourages* the Territory to continue to participate in the activities of the Special Committee, including regional seminars;

12. *Stresses* the importance of the Special Committee being apprised of the views and wishes of the people of the United States Virgin Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the United States Virgin Islands and the administering Power;

13. *Calls upon* the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the United States Virgin Islands, and encourages the administering Power to facilitate visiting and special missions to the Territory;

14. *Reaffirms* the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requests the administering Power to take steps to enlist

and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

15. *Takes into account* the 2030 Agenda for Sustainable Development [8] including the Sustainable Development Goals, stresses the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and humen development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urges the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

16. *Requests* the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requests the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

17. *Requests* the Special Committee to continue to examine the question of the United States Virgin Islands and to report thereon to the General Assembly at its seventy-third session and on the implementation of the present resolution.

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[8] Resolution 70/1.